The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition fo. a Variance from Section 1802.30.1 to permit a sideyard setback of 8.3' instead of the required 10'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate nardship or practical difficulty)

The building had been laid out too close to the southwest property line through an error of judgement. The building is, at present, under roof. Also, the Building and Loan Association is presently holding book mortgage money until the present problem is resolved.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) for Petitioner:

FOR

RECEIVED

Legal Owner(s): Kenneth Wayne Daniels

> (Type or Print Name) Sharon am Parish

314 N. Marlyn Avenue 391-7526 Baltimore, Maryland 21221 City and State

Name, address and phone number of legal owner, contract purchaser or representative to . contacted Kenneth W. Daniels

Attorney's Telephone No.: 314 N. Marlyn Avenue 391-7526

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_ of <u>January</u>, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

\_\_ day of \_ County, on the \_\_\_\_\_. \_\_A.<sub>\_M.</sub>

RE: PETITION FOR VARIANCE W/S of Marlyn Ave., 306' N of Essex Ave., 15th District

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

KENNETH W. DANIELS, et ux, : Case No. 82-204-A Petitioners ::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor,

and of the passage of any preliminary or firal Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 15th day of March, 1982, a copy of the foregoing Order was mailed to Mr. and Mrs. Kenneth Wayne Daniels, 314 N. Marlyn Avenue, Baltimore, Maryland 21221, Petitioners.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

**EVALUATION COMMENTS** 

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 9, 1982

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson. Maryland 21204

Nicholas B. Commoda Chairman

Bureau of

Bureau of

Industrial

Department of

Fire Prevention

Health Department

Project Planning

Building Department

Zoning Administration

Board of Education

314 N. Marlyn Avenue Baltimore, Maryland 21221

Mr. & Mrs. Kenneth W. Paniels

RE: Item No. 141 Petitioner - Kenneth Daniels, et ux Variance Petition

Dear Mr. & Mrs. Daniels:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to legalize the side yard setback of the partially completed dwelling, this hearing is required.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Michales D. Commadare NICHOLAS B. COMMODARI

NBC:bsc

Chairman Zoning Plans Advisory Committee

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E. DIRECTOR

March 12, 1982

I-SW Key Sheet 90 Tax Map

Zoning Commissioner of Baltimore County.

9 NE 29 Pos. Sheet NE 3 H Topo

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #141 (1591-1982) Property Owner: Kenneth W. & Sharon A. Daniels W/S North Marlyn Ave. 306' N. of Essex Ave. Acres: 60 x 285 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

This property comprises Lot 1-A of the "Final Resubdivision Plan of Lot 1 Section "B" of Essex of the T. P. Kaplan Plat", recorded E.H.K., Jr. 48, Folio 44.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading,

Baltimore County highway and utility improvements are not directly involved.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

A 12-inch public water main and 8-inch public sanitary sewerage exist in Marlyn Avenue.

Additional fire hydrant protection is required in the area.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 141 (1981-1982).

A CANADA MANAGEMENT OF THE PROPERTY OF THE PRO

ROBERT A. MORTON, P.E., Chief Bureau of Public Services

cc: Jack Wimbley, William Munchel

RAM: EAM: FWR: SE

including the stripping of top soil.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 494-3211

NORMAN E. GERBER DIRECTOR

March 1, 1982

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #14., Zoning Advisory Committee Meeting, February 9, 1982, are as follows:

Property Owner: Kenneth W and Sharon A. Daniels Location: W/S North Marlyn Avenue 306' N. of Essex Avenue Acres: 60 X 285 District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John zulmblig John L. Wimbley

Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO Office of Planning and Zoning

Date February 19, 1982

be particular from a property Consideration

FROM Ian J. Forrest

IJF/fth

SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

Item #137 - Paul G. & Karne A. Riesner

Item #139 - Frederick & Sharon Leavitt

/Item #141 - Kenneth W. & Sharon A. Daniels Item #142 - Edward E. & Louise Smith

Item #144 - L. Glen & Patricia D. Rock Item #147 - James W. & Margaret I. Paul

Item #148 - Paul J. & Ruth A. Glace Item #151 - Harry S. & Dorothea S. Cook

Item #152 - Norbert Muench

Item #153 - Evan E. & Nancy L. Evans

Ian J. Forrest, Director

BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Nick Commodari Date February 26, 1982

Charles E. (Ted) Burnham Zoning Advisory Committee

SUBJECT Meeting of February 9, 1982 Revised

See Comments ITEM NO. 5 No further comments - Cycle II Revised ITEM NO. 134 See Comments ITEM NO. 135 Standard Comment ITEM NO. 136 Standard Comments ITEM NO. 137 Standard Comments ITEM NO. 138 See Comments ITEM NO. 139 Standard Comments ITEM NO. 140 Sae Comments \_\_\_ ITEM NO. 141

Shorts & Sumhan

CEB:rrj

ITEM NO. 142

No Comments

See Comments

Charles E. (Ted) Burnham Plans Review Chief

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/wouldxnot result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested with/will not adversely affect the health, safety, and general weifare of the community, the variance(s) should /shouldenot be granted.

day of \_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Variance(s) to permit a side yard setback of 8.3 feet in lieu of the required ten feet, for the expressed purpose of completing the partially constructed dwelling, in accor ance with the site plan filed herein, dated January 29, 1982, is hereby GRANTED, fi m and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Department of Public Works and the Office of Planning

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 9, 1982

Mr. William E. Hammond Zoning Commissioner Baltimore Councy Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: February 9, 1982

RE: Item No: 134, 135, 136, 137, 138, 139, 140, 141, 142 Property Owner: Present Zoning:

District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

March 18, 1982

WILLIAM E. HAMMOND ZONING COMMISSIONER

Petition for Variance Mr. and Mrs. Kenneth Wayne Daniels W/s Marlyn Ave., 306' N of Essex Ave. 314 N. Marlyn Avenue Baltimore, MD 2 1221

Petition for Variance W/s of Marlyn Ave., 306' N of Essex Ave. Case #82-204-A

Very truly yours,

WILLIAM E. HAMMOND

Zoning Commissioner

Dear Mr. and Mrs. Daniels:

This is to advise you that \$47.77 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

WEH:klr

**\$** \*\*\* \*\*\* AND DESCRIPTION OF About to sample thereto be server a forester. cons, 中国中国的中央主要系统(第二、安龙·克尔·特别) 14年 B\_ OWNERS FIRE ATELY CHANGE SINGLE FAMILY UNITS HI THERE AN INCINERATION a financia distribut E P ILE YEAR wante - J.M

Mr. & Mrs. Kenneth Wayne Daniels 314 North Marlyn Avenue Baltimore, Maryland 21221

RE: Petition for Variance W/S of Marlyn Avenue, 306' N of Essex Avenue - 15th Election District Kenneth Wayne Daniels, et ux -Petitioners

NO. 82-204-A (Item No. 141)

Dear Mr. & Mrs. Daniels:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours

March 24, 1982

WILLIAM E. HAMMOND Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire People's Counsel

TITION FOR VARIANCE

4357 / 345

15th DISTRICT Petition for Variance

ZONING: LOCATION: West side of Marlyn Avenue, 306 ft. North of Essex Avenue

Tuesday, March 23, 1982, at 9:30 A.M. DATE & TIME:

Room 106, County Office Building, 111 W. Chesapeake Ave., PUBLIC HEARING: Towson, Maryland

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Variance to permit a side yard setback of 8.3' instead of the required 10'.

The Zoning Regulation to be excepted as follows:

Section 1B02.3C.1 - Minimum side yard setback in D.R. 5.5 Zone

All that parcel of land in the Fifteenth District of Baltimore County

Hearing Date: Tuesday, March 23, 1982 at 9:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

ZONING VARIANCE DESCRIPTION

Peginning on the west side of North Marlyn Avenue at 60' feet wide, at the distance of 306.0' feet north of Essex Avenue. Peing Lot 1-A of the Final Resubdivision Flan of Let 1, Section "B" of Essex of the T. F. Karler Flat recorded in the land records of Baltimore County in plat book #48, folio 44, also known as #312 North Marlyn Avenue. 15th Flaction District. Avenue, 15th Election District.

Being the property of Kenneth W. Daniels, et ux, as shown on plat plan filed with the Zoning Department

Mr. and Mrs. Kenneth W. Daniels 314 N. Marlyn Avenue

Baltimore, Maryland 21221

NOTICE OF HEARING

Case #82-204-A

9:30 A. M. Tuesday, March 23, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

February 23, 1982

April 8, 1982

n. V.

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Kenneth W. and Sharon A. Daniels

Location: W/S North Marlyn Avenue 306' N. of Essex Avenue

Zoning Agenda: Meeting of February 9, 1982

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Cott. Jose W folly 4/13 Mapproved: House Miller Prevention Bureau

Special Inspection Division

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

William E. Hammond

TO\_Zoning\_Commissioner\_\_\_\_ Dat :\_\_\_\_Morch\_9,\_1982\_\_\_\_\_ Norman E. Gerber, Director

FROM Office of Planning and Zoning

There are no imprehensive planning factors requiring comment on this petition.

> Norman E. Gerber, Director Office of Planning and Zoning

NEG: JGH:rmc

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION

No. 105701 MISCELLANEOUS CASH RECEIPT

VALIDATION OR SIGNATURE OF CASHIER

SUBJECT Zoning Petition No. 82-204-A

DATE 2/24/82

AMOUNT \$25,00

FROM: Kernell W. Daniels Filing fee for Case #82-204-A

9:80 A.M. PUBLIC HEARING:

Room 106, County Office Building, 111 W. Chesa-peake Ave., Towson,

Maryland.
The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:
Petition for Variance to

Petition for Variance to

quired 10'.

The Zoning Regulation to be excepted as follows: Section 1B02.3C.1 - Min

BY ORDER OF

313 Kai 8 25 25.0 JAN

## 32-204-A

CERTIFICATE OF POSTING CONING DEPARTMENT OF BALTIMORE COUNTY

name Paniel et ul

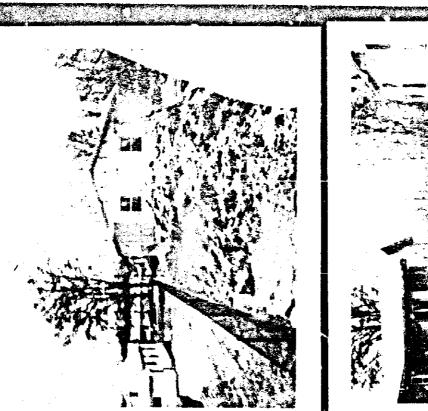
For Variance Je Times 15th DISTRICT Variance.
LOCATION: West side

This is to Certify, That the annexed

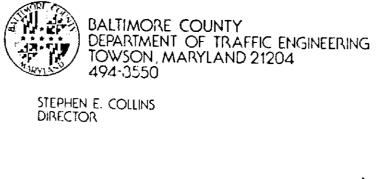
was inserted in the Times, a newspaper printed

and published in Baltimore County, once in each

imum side yard setback in D.R. 5.5 Zone. more County in plat book 448, folio 44, also known as







April 8, 1982

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Re: ZAC Meeting of February 9, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no

comments for items numbers 134 to 142.

Michael S. Flanigan. Engineering Associate II

MSF/rlj

DATE & TIME: Tuesday, March 23, 1982, at 9:30 A.M.

BALTIMORE COUNTY, MARYLAND No. 106822 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 3/23/82 01-662

RECEIVED Sharon A. Daniels FOR Posting & Advertising of Case #82-201-4

WOUD CAME 23

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., \_\_\_\_\_\_ March\_4\_\_\_, 19.82\_\_ THIS IS TO CERTIFY, that the annexed advertisement was ...., 19 82m, the mist publication

Mr. & Mrs. Kenneth V. Daniels 31k W. Marlyn Avenue Baltimore, Md. 21221

of Jamery , 1982

Petitioner's Attorney

Petitioner Kenneth W. Daniels, et ux

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Your Petition has been received and accepted for filing this

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

WILLIAM E. HAMMOND

Zoning Commissioner

Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received this 29 day of Journal Filing Fee \$ 25.00

William E. Hammond, Zoning Commissioner Submitted by Sauce

Petitioner Kruneth Doniels Petitioner's Attorney Reviewed by uca

\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

H25"17 Z LOCATION MAP - N 25192 306.0

MARLYN AVENUE (GO'R/W) (42.5 EXISTING PAVING)

PLAT TO ACCOMPANY ZONING VARIANCE FOR KENNETH & SHARON DANIELS 15 th ELECT. DISTRICT., ZONE D.R.S.5 LOTI-A SECTION 5 E. H.K. VR. 48, FOLIO 44 PUBLIC UTILITIES IN THE STREET

SCALE: 1"=30"